UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Newport News Division

JAN - 6 2012

WANDA RENITA TYNES,

v.

Plaintiff.

ACTION NO. 4:10cv146

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

FINAL ORDER

Plaintiff brought this action under 42 U.S.C. § 405(g) seeking judicial review of the decision of the Commissioner of the Social Security Administration denying plaintiff's claim for disability insurance benefits under the Social Security Act.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on December 12, 2011, recommending that the decision of the Commissioner be affirmed. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has received no objections to the Magistrate Judge's Report and Recommendation, and the time for filing same has expired.

The Court hereby ADOPTS the findings and recommendations set

forth in the report of the United States Magistrate Judge filed on

December 12, 2011, and the decision of the Commissioner is

AFFIRMED, Defendant's motion for remand is DENIED, Plaintiff's

motion for summary judgment is DENIED, and this case is DISMISSED.

Plaintiff is ADVISED that she may appeal from this Final Order

by forwarding a written notice of appeal to the Clerk of the United

States District Court, United States Courthouse, 2400 West Avenue,

Newport News, Virginia 23607. Said written notice must be received

by the Clerk within sixty (60) days from the date of this Final

Order.

The Clerk shall forward a copy of this Final Order to counsel

of record for the parties.

/s/M/M

Mark S. Davis

United States District Judge

Norfolk, Virginia

January <u>6</u>, 2012

2